

Tab 1

NO. D-1-GV-07-001259

THE STATE OF TEXAS)	IN THE DISTRICT COURT
)	
ex rel.)	
VEN-A-CARE OF THE)	
FLORIDA KEYS, INC.,)	
)	
Plaintiffs,)	
)	
VS.)	TRAVIS COUNTY, TEXAS
)	
SANDOZ, INC. f/k/a GENEVA)	
PHARMACEUTICALS, INC.,)	
NOVARTIS PHARMACEUTICAL)	
CORP., NOVARTIS AG, EON)	
LABS, APOTHECON, INC.,)	
)	
MYLAN PHARMACEUTICALS, INC.,)	
MYLAN LABORATORIES, INC.,)	
UDL LABORATORIES, INC.)	
)	
TEVA PHARMACEUTICALS USA,)	
INC., f/k/a LEMMON)	
PHARMACEUTICALS, INC.,)	
COPLEY PHARMACEUTICALS,)	
INC., IVAX PHARMACEUTICALS,)	
INC., SICOR PHARMACEUTICALS,)	
INC., TEVA NOVOPHARM, INC.,)	
and TEVA PHARMACEUTICAL)	
INDUSTRIES, LTD.)	
Defendants.)	201ST JUDICIAL DISTRICT

ORAL AND VIDEOTAPED DEPOSITION OF

FRANK STIEFEL

November 13, 2008

Cynthia Vohlken, CSR
(512) 364-8166

1 don't know, you know, specifically.

2 Q. I understand it wasn't your responsibility,
3 Mr. Stiefel. That wasn't my question. My question
4 was: During your time at Geneva did you under -- did
5 you understand or were you aware that Geneva sought to
6 have its drugs listed on each state's Medicaid
7 formulary?

8 MR. GALLAGHER: Objection, form.

9 A. I know that they listed products on the
10 formularies, yes.

11 Q. (BY MR. RIKLIN) And that was something that
12 was important to Geneva's retail customers, correct?

13 A. That would be important, yes.

14 Q. Geneva's customers wanted Geneva's products
15 listed on state Medicaid formularies, correct?

16 A. If -- if they were using your product, they
17 would want it on the formulary, yes.

18 Q. And what's -- and the reason Geneva's
19 customers wanted Geneva products listed -- Geneva
20 products they purchased listed on state Medicaid
21 formularies is that's the only way they could be
22 reimbursed by state Medicaid programs, correct?

23 MR. GALLAGHER: Objection, form.

24 A. They don't want claims rejected, yes.

25 Q. (BY MR. RIKLIN) If you're not on -- if -- if